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Chairman Dick Durbin
Ranking Member Chuck Grassley
Senate Judiciary Committee
Hart Senate Office Building Room 226
Washington, D.C. 20510

Dear Chairman Durbin and Ranking Member Grassley,

On behalf of the more than one million members and supporters of the Council for Citizens Against Government Waste (CCAGW), I would like to reiterate our views ahead of your markup on S. 673, the misnamed Journalism Competition and Preservation Act of 2021.

Supporters of S. 673 claim that the bill is needed to protect the news industry by allowing certain newspapers and local broadcasters to collectively bargain with social media platforms for payment when someone clicks on a link to their articles. Under S. 673, these select newspapers and broadcasters will be exempt from antitrust laws for a period of four years and have the ability to jointly negotiate with online distribution services to determine how content is disseminated through those services. This legislation unnecessarily abandons current antitrust law in favor of a handful of well-connected news service organizations by allowing them to collude with one another during this temporary exclusionary period. History has demonstrated time and again that propping up some businesses in the name of competition have failed and instead created a disparate impact on other business in the same industry.

Journalism plays a vital role in maintaining freedom of speech, but S. 673 would allow the government to select winners and losers in the news industry. I strongly urge the committee to refrain from exempting companies from existing law under the premise of creating competition, which is the intent of S. 673. Government carveouts stifle innovation and competition and there is no reason to believe this attempt will go any differently.

The way in which Americans get their news continues to evolve, and the government should not be using the taxpayers' money to get in the way of what may occur in the future by propping up selective segments of the news industry at the expense of the others. For these reasons, I once again urge you to oppose S. 673.

Sincerely,

Tom Schatz

cc: Senate Judiciary Committee Members